



**CITY OF LOWELL**

**ZONING BOARD OF APPEALS**

*James M. Cassin, Chairman  
Alan Kazanjian  
Vesna Nuon  
Daniel Squeglia  
Timothy Ebacher*

**Decision of the Zoning Board of Appeals**

Pettition filed on: **3/4/2002**

Case #: **7236**

Petitioner: **Edward McMahon**  
**1506 Gorham Street**  
**Lowell MA 1852**

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Location of Subject Property: **336-342 Westford Street**

Relief Sought: **Request for Special Permit for additional residential use in a B-1 zone and to allow off-site parking within 400 feet of the building at 336-342 Westford Street.**

Type of Action: **Special Permit**

Pursuant to the provisions of Chapter 40A of the General Laws, and amendments thereto, and the provisions of the Zoning Code of the City of Lowell, as amended, the City of Lowell Zoning Board of Appeals, (hereinafter referred to as "The Board"), herewith submits a detailed account of it's proceeding regarding the above requested relief.

**Summary of Dates Cited in this Decision**

Petitioner's Application received by the City Clerk:	3/4/2002
Notice of Public Hearing mailed to parties of interest(see attached abutters list):	3/26/2002
Notice of Public Hearing posted in City Hall:	3/26/2002
Notice of Public Hearing published in the "Lowell Sun" (copy attached):	3/26/2002 and 4/2/2002
The Public Hearing was held in:	
<b>Mayor's Reception Room,2nd Floor, City Hall, 375 Merrimack St.</b>	
The Public Hearing was opened on:	4/9/2002
The Public Hearing was closed on:	4/23/2002
The Board rendered it's Decision on	4/23/2002
The Decision was filed with the City Clerk on:	5/3/2002

### Finding of Fact

After closing the hearing, and based on testimony and evidence:

1. The Board makes the following findings:

**The building is located at the intersection of two streets on a triangular lot.**

2. A Special Permit may be granted because the petition preserves community values, promotes harmony within the neighborhood and has appropriate safeguards which will prevent any nuisance as follows:

**The proposal should create off-street parking in the city lot (lease required), and it will improve a structure in need of repair.**

After due consideration of all of the foregoing, a motion was made by **Dan Squeglia** and seconded by **Alan Kazanjian** to grant

<u>Member:</u>		<u>Vote:</u>
Alan Kazanjian	voted to	grant
Alan Kazanjian	voted to	grant
Dan Squeglia	voted to	grant
Donna McMahon	voted to	grant
Timothy Ebacher	voted to	grant

This Decision does not relieve the petitioner or any other person from the necessity of complying with all other applicable federal, state and local statutes and ordinances and regulations.

Any appeal of this Decision shall be made pursuant to section 17 of Chapter 40A of the General Laws including filing a copy of the appeal with The City Clerk within twenty (20) days after the filing of the Decision by the Board in the City Clerk's Office.

In accordance with section 11 of Chapter 40A, M.G.L., this Decision shall not take effect until a copy certified by the City Clerk has been recorded at the Registry of deeds



*James M. Cassin, Chairman*